

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VENUE: SAN FRANCISCO

UNITED STATES OF AMERICA,

V.

ERICK DAVID LOPEZ
a/k/a "Spooky"

DEFENDANT(S).

INDICTMENT

18 U.S.C. § 922(g)(5)(A) - Illegal Alien in Possession of Firearm;

8 U.S.C. § 1326(a) - Illegal Reentry

Indict
A true bill.

for [signature]
Foreman

Filed in open court this *22* day of *may 2008*

[Signature]
BETTY FONG

[Signature]
Clerk
EDWARD M. CHEN
UNITED STATES MAGISTRATE JUDGE

No Bail wanted
Bail, \$ _____

PER 18 U.S.C. 3170

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: ☐ INFORMATION ☒ INDICTMENT **E-filing** CASE NO. _____

Matter Sealed: ☐ Juvenile ☐ Other than Juvenile

☐ Pre-Indictment Plea ☐ Superseding ☐ Defendant Added

☐ Indictment ☐ Charges/Counts Added

☐ Information

Name of District Court, and/or Judge/Magistrate Location (City)

UNITED STATES DISTRICT COURT San Francisco

DISTRICT OF CALIFORNIA Divisional Office

Name and Office of Person Joseph P. Russoniello

Furnishing Information on ☒ U.S. Atty ☐ Other U.S. Agency

THIS FORM Phone No. (415) 436-7200

Name of Asst. W.S. Wilson Leung

U.S. Attorney (if assigned)

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

Ben Horton, Immigration and Customs Enforcement

☐ person is awaiting trial in another Federal or State Court (give name of court)

☐ this person/proceeding transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. Atty ☐ Defense

☐ this prosecution relates to a pending case involving this same defendant. (Notice of Related Case must still be filed with the Clerk.)

☐ prior proceedings or appearance(s) before U.S. Magistrate Judge regarding this defendant were recorded under

SHOW
DOCKET NO.

MAG. JUDGE
CASE NO.

Place of offense San Francisco County San Francisco

USA vs.

Defendant: ERICK DAVID LOPEZ

Address: _____

☐ Interpreter Required Dialect: _____

Birth Date 7/2/1987

☒ Male☒ Alien☐ Female

(if applicable)

Social Security Number N/A

DEFENDANT

Issue: ☒ Warrant ☐ Summons

Location Status:

Arrest Date _____ or Date Transferred to Federal Custody _____

☐ Currently in Federal Custody☒ Currently in State Custody☒ Writ Required☐ Currently on bond☐ Fugitive

Defense Counsel (if any): _____

☐ FPD ☒ CJA ☐ RET'D

☐ Appointed on Target Letter

☐ This report amends AO 257 previously submitted

OFFENSE CHARGED - U.S.C. CITATION - STATUTORY MAXIMUM PENALTIES - ADDITIONAL INFORMATION OR COMMENTS

Total # of Counts 2

Set	Title & Section/Offense Level (Petty = 1 / Misdemeanor = 3 / Felony = 4)	Description of Offense Charged	Count(s)
18USC	922(g)(5)-Illegal Alien Possession Firearm	10 yrs prison; \$250,000 fine; 3 yrs sup rel; \$100 S.A.	1
8USC	1326-Illegal Re-Entry	2 yrs prison; \$250,000 fine; 1 yr sup rel; \$100 S.A.	

JOSEPH P. RUSSONIELLO (CABN 44332)
United States Attorney

E-filing

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

v.

ERICK DAVID LOPEZ,
a/k/a "Spooky,"

Defendant.

Criminal No.:

VIOLATION: 18 U.S.C. § 922(g)(5)(A) –
Illegal Alien in Possession of Firearm; 8 U.S.C.
§ 1326 -- Illegal Reentry

SAN FRANCISCO VENUE

INDICTMENT

COUNT ONE:

(Illegal Alien in Possession of Firearm)

The Grand Jury charges:

1. On or about March 30, 2008, in the Northern District of California, the defendant,

ERICK DAVID LOPEZ, a/k/a "Spooky,"

then being an alien illegally and unlawfully in the United States, did unlawfully, willfully, and knowingly possess a firearm, to wit, a .45 caliber Colt handgun, serial number 75533B70, in and affecting interstate commerce.

All in violation of Title 18, United States Code, Section 922(g)(5)(A).

INDICTMENT

COUNT TWO:

(Illegal Re-Entry)

The Grand Jury further charges:

2. On or about March 30, 2008, in the Northern District of California, the defendant,

ERICK DAVID LOPEZ, a/k/a "Spooky,"

an alien, having been previously excluded, deported, and removed from the United States to Guatemala, and having subsequently voluntarily returned to and remained in the United States, was found in the Northern District of California, the Attorney General of the United States and the Secretary for Homeland Security not having expressly consented to a re-application by the defendant for admission into the United States.

All in violation of Title 8, United States Code, Section 1326.

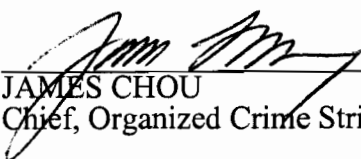
DATED:

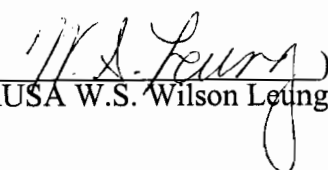
A TRUE BILL.

5-22-08


FOREPERSON

JOSEPH P. RUSSONIELLO
United States Attorney


JAMES CHOU
Chief, Organized Crime Strike Force

(Approved as to form: 
AUSA W.S. Wilson Leung